



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/115,273	07/14/1998	MATTHEW J. MASON	PLAT-01001US	1196

23910 7590 06/12/2002

FLIESLER DUBB MEYER & LOVEJOY, LLP
FOUR EMBARCADERO CENTER
SUITE 400
SAN FRANCISCO, CA 94111

EXAMINER

NGUYEN, CAO H

ART UNIT PAPER NUMBER

2173

DATE MAILED: 06/12/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/115,273

Applicant(s)

Mason

Examiner

Cao "Kevin" Nguyen

Art Unit

2173



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06/03/02
- 2a) ☐ This action is FINAL.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 17-24, 41-48, 65-72 and 81-87 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 17-24, 41-48, 65-72 and 81-87 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirements.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Art Unit: 2173

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 © of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 17-24, 41-48, 65-72 and 81-87 are rejected under 35 U.S.C. 102(e) as being anticipated by Krishnamurthy et al. (US Patent No. 6,389,464).

Regarding claims 1, 20-21 and 41, Krishnamurthy discloses a configuration device configured to perform configuration management functions on objects within said configuration management system; a display device configured to display a representation of said objects in a presentation having a tree display of objects in said configuration management system, and a

Art Unit: 2173

content display that displays items selected in said tree display (see col. 6, lines 28-44); a server machine for executing said configuration device and producing display information for said representation of said objects within said configuration management system; and a network interface connecting said server machine to a network, wherein said network interface is a web interface and said network is one of the Internet and an intranet (see col. 4, lines 1-60); wherein said server machine transmits information produced by said configuration device and said display information over said network for display on a remote computer; wherein the transmitted information includes one of an Active X component, Visual Java program, Java applet, and PERL program configured to utilize the information produced by said configuration device in said presentation (see col. 3, lines 16-34 and figure 2-3).

Regarding claims 18 and 42, Krishnamurthy discloses wherein said one of an Active X component, Visual Java Program, Java applet, and PERL program are further configured to provide access to selected of said configuration management functions (see col. 3, lines 16-58).

Regarding claim 19, Krishnamurthy discloses wherein said selected configuration management functions include at least one of object state changes, object check-in, object check-out, create package, difference of disparate objects, move package, promote package, demote package, snapshot, approve, list version, list difference, remove item, notify, concurrent merge, cross environment verge, interactive merge, execute user defined process (UDP); and state changes are performed by drag and drop procedures utilizing said representation of objects (see col. 7, lines 1-65).

Art Unit: 2173

Regarding claim 22, Krishnamurthy discloses wherein said report generator generates said access reports when the selected object is one of a user group, object, and environment; said package based reports when the selected object is a package; and said version control reports when the selected object is a package (see col. 10, lines 1-65).

Regarding claims 23 and 24, Krishnamurthy discloses wherein said report generator is configured to produce said reports in InfoReport report formats; and access reports include information indicating which users and user groups have access to execute specified functions in an environment; version control reports include a list of items organized by at least one of version, check out parameters, branches, modification by user, modification by environment, and current release; and said package based reports include a list of items organized by at least one of items modified by packages, packages by state, time in state, and packages by form items (see col. 11, lines 10-63).

Regarding claim 43, Krishnamurthy discloses selected configuration management functions include at least one of object state changes, object check-in, object check-out, create package, difference of disparate objects, move package, promote package, demote package, snapshot, approve, list version, list difference, remove item, notify, concurrent merge, cross environment verge, interactive merge, execute user defined process (UDP); and said method further comprises the step of: performing said state changes by drag and drop procedures utilizing said representation of said objects (see col. 8, lines 1-61).

Art Unit: 2173

As claims 44-48, 65-72 and 81-83 are analyzed as previously discussed with respected to claims 17-24 and 41-43.

Claim 84 differs from claim 17 in that "a registration device configured to register an application as associated with a type of version; and a view version device configured to, check out a version from configuration management system, and execute an application registered as associated with the version checked out" which set to reply upon Krishnamurthy see col. 13-14, lines 1-65).

As claims 85-87 are analyzed as previously discussed with respected to claims 1 and 85.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. (see PTO-892).

Response

4. Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 746-7239 may be used for formal communications or (703) 746-7240 for informal or draft communications.

Art Unit: 2173

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

Inquires

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cao (Kevin) Nguyen whose telephone number is (703) 305-3972. The examiner can normally be reached on Monday-Friday from 8:30 am to 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Cabeca, can be reached on (703) 308-3116. The fax number for this group is (703) 746-7240.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.



Cao (Kevin) Nguyen

Art Unit 2173
Patent Examiner
June 5, 2002